

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

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THOMAS E. PEREZ, Secretary of Labor,  
United States Department of Labor

Plaintiff,

v.

DALLAS-FORT WORTH DOMICILE,  
ALLIED PILOTS ASSOCIATION, and  
ALLIED PILOTS ASSOCIATION,  
NATIONAL HEADQUARTERS,

Defendants.

Civil Action No. 4:14-CV-997-O

**AMENDED STIPULATION OF SETTLEMENT**

The plaintiff, the Secretary of Labor (hereinafter referred to as the DOL), and the defendants, the Allied Pilots Association (hereinafter referred to as the APA) and its Dallas-Fort Worth Domicile (hereinafter referred to as the DFW APA), hereby stipulate and agree to a settlement of the above-captioned litigation on the terms set forth herein:

1. In this action brought under Title IV of the Labor Management Reporting and Disclosure Act of 1959 (the LMRDA), the Secretary of Labor has requested a judgment voiding the April 2014 election of union officers conducted by the APA for the DFW APA union offices of Chairman and Vice Chairman and requested a new election under the supervision of the Secretary of Labor. The APA has denied that the Secretary is entitled to the relief requested or to any other relief. The parties recognize that further litigation and possible trial of this action would present significant risk, uncertainty, and further expense for the parties. Accordingly, the parties have negotiated this settlement as a mutual compromise and settlement of disputed claims

and defenses, in order to avoid unnecessary risks and expenses of litigation.

2. Any and all disputes concerning the subject April 2014 election are hereby deemed resolved. The results of that April 2014 election will remain in effect, and, in consideration of the terms set forth below, the parties to this Amended Stipulation of Settlement hereby waive and release any claims that were or could have been brought against each other in connection with the subject April 2014 election other than claims arising out of disputes over the terms of the instant Amended Stipulation of Settlement. In settlement of the action, APA and DFW APA will conduct its election (including any nomination rounds or run-offs) using mail ballots, as provided in 29 C.F.R. § 452.97, under the supervision of DOL, during the time for its next regularly scheduled election for the offices of Chairman and Vice Chairman of the DFW APA, the initial round of which will be completed no later than May 2016. The supervised 2016 election will be conducted in accordance with Title IV of the LMRDA and, insofar as lawful and practicable, in accordance with the APA Constitution and Bylaws:

3. The parties will jointly propose to the Court via an agreed motion that a consent decree be entered specifying that: (1) this action be administratively closed, but that the Court retain jurisdiction for the purpose of ensuring that the supervised 2016 election is conducted in accordance with the terms and conditions of the parties' Amended Stipulation of Settlement and with the LMRDA and, insofar as lawful and practicable, the APA Constitution and Bylaws and to resolve any disputes concerning the parties' Amended Stipulation of Settlement; (2) no further action will be taken regarding the disputed 2014 election; (3) any challenges or disputes concerning the conduct of the supervised 2016 election will be determined in the first instance by the DOL, subject to review by the Court at the request of the APA or DFW APA; (4) all decisions as to the interpretation or application of Title IV of the LMRDA, and the APA



Constitution and Bylaws relating to the supervised election will be determined by the DOL in the first instance, subject to review by the Court at the request of the APA or DFW APA; (5) after completion of the supervised election and resolution of any disputes or challenges, the DOL will certify to the Court the name of the persons so elected, and that the election was conducted in accordance with Title IV of the Act, and insofar as lawful and practicable, in accordance with the APA Constitution and Bylaws; and, (6) upon the Court's approval of the DOL's certification, the Court will enter a final judgment declaring that such persons have been elected as shown by the certificate to serve a full two-year term of office, and dismissing this action with prejudice, with each party to bear its own costs, fees (including attorney's fees), and expenses, as agreed between the parties and with the Secretary bearing no part of any other party's costs, fees (including attorney's fees), and expenses.

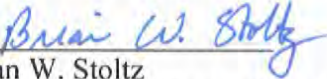
4. The persons signing this Amended Stipulation of Settlement warrant and represent that they possess full authority to bind the persons on whose behalf they are signing.

5. This Amended Stipulation of Settlement replaces and supersedes the Stipulation of Settlement signed October 30, 2015 and submitted to the Court on November 3, 2015.

6. It is contemplated that this Amended Stipulation of Settlement may be executed in several counterparts. All such counterparts shall be deemed to be one document.

AGREED AND STIPULATED:

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Attorneys for Plaintiff

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Stephen J. Willertz  
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Office of Labor Management Standards  
U.S. Department of Labor

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Date

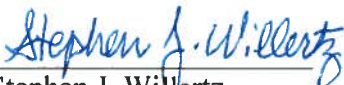
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Captain Thomas W. Westbrook  
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Allied Pilots Association

16 December 2015  
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Date